

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PC United Stones Patent and Trodomerk Offic Washington, D.C. 702:

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FROM FIRST NAMED APPLICANT

ATTY, DOCKET NO.

U.S. APPLICATION NUMBER NO. 09/889,380

& HAUG, LIP

450106-02849
INTERNATIONAL APPLICATION NO.

PCT/JP00/08112

I.A. FILING DATE

PRIORITY DATE

11/17/2000

11/17/1999

William S Frommer Frommer Lawrence & Haug 745 Fifth A vene New York, NY 10151

DOCKETED

CONFIRMATION NO. 3746
371 FORMALITIES LETTER
OC000000007066788

Date Mailed: 11/14/2001

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NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fee
- Priority Document
- · Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Request for Immediate Examination
- Substitute Specification

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below.
 - The number of claims in the International Application and the number of claims in the translation are not the same.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 months from the priority date (37 CFR 1.492(f)).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• \$130 for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
09/889,380	РСТ/ЈР00/08112	450106-02849

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

Nakamura, et al.

U.S. Appln. Ser. No. :

09/889,380

Int'l Appln. No.

PCT/JP00/08112

Int'l Filing Date

November 17, 2000

Title of Invention

DIGITAL SIGNAL PROCESING APPARATUS

AND METHOD

745 Fifth Avenue New York, NY 10151

EXPRESS MAIL

Mailing Label Number:

EV001583798US

Date of Deposit:

October 22, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents

Washington, DC 20231.

(Signature of person mailing paper or fe

HDRAW NOTIFICATION OF MISSING REQUIREMENTS

Assistant Commissioner for Patents

Washington, D.C. 20231

Attn: Paulette Kidwell, Paralegal

Madam:

This is a Petition to withdraw the Notification of Missing Requirements mailed

August 28, 2001 in the above-identified application. A copy of that Notification is enclosed.

For a complete understanding of what appears to be the circumstances

surrounding this application, Applicants note that a similar Notification of Missing Requirements

issued on August 27, 2001 in related, companion U.S. application 09/889,459 (the '459 application).

On July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 USC 371, including a direct English translation of the specification and claims of international application PCT/JP00/08112, to which U.S. application Serial No. 09/889,380 was assigned. A copy of those application papers as filed, including the date-stamped receipt postcard acknowledging receipt thereof, is enclosed. The U.S. application papers contained 24 claims. This is identical to the number of claims contained in the international application.

On the same day, July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 U.S.C. 371, including a direct English translation of the specification and claims of international application PCT/JP00/08113, to which U.S. application Serial No. 09/889,459 was assigned. The '459 U.S. application papers contained 12 claims. This is identical to the number of claims contained in international application PCT/JP00/08113.

Applicants' attorney believes that the executed declaration attached to the U.S. application papers filed in connection with the '380 application became confused in the PTO Mail Room with the executed application papers filed in connection with the '459 application. As a result, the Notification of Missing Requirements incorrectly was mailed in connection with the '380 application (and, similarly, the Notification of Missing Requirements incorrectly was mailed in connection with the '459 application).

Since the '380 application was filed with a fully executed declaration, was filed as a direct English translation of the international application upon which it is based and contained

precisely the same number of claims as said international application, it is respectfully requested that the Notification of Missing Requirements mailed August 28, 2001 be withdrawn.

It is believed that no fees are due for this Petition. However, if a Petition Fee is needed, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

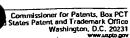
FROMMER LAWRENCE & HAUG LLP

By:

William S. Frommer

Reg. No. 25,506 (212) 588-0800

WSF/dds Enclosures



Date of the last o		CASE DOCUMENT NO.
U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY, DOCKET NO.
09/889380	NAKAMURA	M 450106-02849
•		INTERNATIONAL APPLICATION NO.
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WILLIAM S FROMMER FROMMER LAWRENCE & HAUG		
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NEW YORK, NY 10151		17 NOV 00 17 NOV 99
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NOTIFICATION OF MISSI	NG REQUIREMENTS UNDER	R 35 U.S.C. 371 IN THE UNITED
STATES DI	ESIGNATED/ELECTED OFFI	CE (DO/EO/US)
1. The following items have been subm	itted by the applicant or the IB to the U	nited States Patent and Trademark
Office as a Designated Office	ce (37 CFR 1.494) an Elected Office	etitu Status
U.S. Basic National Fee.	Indication of Small Br	mational application into English.
Copy of the international ag		19 amendments into English.
Oath or Declaration of inve	· · · · · · · · · · · · · · · · · · ·	19 amendments mo 121guar.
Copy of Article 19 amendn	nents. Other:	
Priority Document.	m to promote Production and to	r Annexes if any
The International Prelimina	ry Examination Report in English and it	n Penart into English
Translation of Annexes to t	he International Preliminary Examination	i Kepote into Laignou.
A sufficient that assume and another area	cessing under 35 H.S.C. 371(f) but has	not filed the following indicated items and/or
2. Applicant has requested early pro	The Basic National Fee and the conv	of the international application must be filed
prior to 20 or 30 months from the prior	ity date to avoid adandoninion.	
U.S. Basic National Fee.	Copy of the internation	onal application.
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3. The following items MUST be furni	shed within the period set forth below in	order to complete the requirements for
25 II C C 371:		
a. Translation of the applic	ation into English. A processing fee wil	ate
later than the appropr	iate 20 or 30 months from the priority d n is defective for the reasons indicated o	n the attached Notice of Defective
Translation.	ding the translation of the application an	d/or the Annexes later than the
Outh or dealeration of the	ne inventors in compliance with 37 CPK	(1.497(a) and (u), properly recalling 11.6
	mbly by the International application DU	mber and international ining date). A
surcharge will be req	uired if submitted later than the appropri	iate 20 or 30 months from the priority
date.	eclaration does not comply with 37 CFR	1.497(a) and (b) for the reasons
indianted on the etter	₽ [™] PCT/DO/EO/917	
indicated on the auac	the oath or declaration later than the ap	propriate 20 or 30 months from the
priority date (37 CFR	1 403(-))	
4 Additional alaim feet of \$	as a - large entity - small entity	y, including any required multiple dependent
claim fee are remired. Applicant mus	st submit the additional claim fees or can	cel the additional claims for which fees are
due (37 CFR 1.492(g)). See attached I	PTO-875.	
		CER 1 821-1 825 See attached
	required sequence listing pursuant to 37	011 1.001 1.000.
PCT/DO/EO/920.		
ALL OF THE ITEMS SET FORTH	IN 3(a)-3(d), 4 AND 5 ABOVE MUST	F BE SUBMITTED WITHIN TWO (2) FITHS (where 37 CFR 1.495 applies) FROM
THE PRIORITY DATE FOR THE	APPLICATION, WILLIE VER 15 12	TER. FAILURE TO PROFEREI
RESPOND WILL RESULT IN ABA	INDONMENT.	· ·
The time period set shows may be exte	nded by filing a petition and fee for exte	ension of time under the provisions of 37 CFR
The time period set above may be extended. 1.136(a).	more of sump a kamara and	
6. If box 3a or 3c is checked, a transl	ation of the Annexes MUST be submitte	d no later than the time period set above or the
Annexes will be cancelled. A process	ing fee will be required if submitted later	r than 20 or 30 months from the priority date.
7. The Article 19 amendments are	cancelled since a dansladon was not pro	ovided by the appropriate 20 (37 CFR 1.494(d))
or 30 (37 CFR 1.495(d)) months from		
Applicant is reminded that any commi	mication to the United States Patent and	Trademark Office must be mailed to the
address given in the heading and inclu	de the U.S. application no. shown above	e. (37 CFR 1.5)
A copy of the	his notice MUST be returned	with this response.
Enclosed: PCT/DO/EO/917	Notice of Defective Translation	on
PTO-875	= per(DO/EO/020	ette Kidwell, Paralegal
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UNITED S DEPARTMENT OF COMMERCE Patent and Trademark Office Address: ASSISTANT COMMISSIONER FOR PATENTS Box PCT Washington, D.C. 20231

U.S. APPLICATION NO.	ATTACHMENT TO FORM PCT/DO/EO/

09/889380

NOTICE OF DEFECTIVE TRANSLATION

The receiv	red translation is defective because:
	(1) The text in the drawings has not been properly translated;
	(2) The number of claims in the International Application and the number of claims in the
translation	are not the same;
(3) The translation of the International Application is incommissing;	(3) The translation of the International Application is incomplete as a number of pages are
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	AL NUMBER OF CLAIMS IN THE TRANSLATION IS 12 AND THE TOTAL NUMBER OF

DOCKETED

Paulette Kidwell, Paralegal

Telephone: 703-305-3656

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		50106-02858 By WSOLDS
	Title In the Matter of the Application of Deg	Signal Processing Aproportus
7	The following due 10/21/0/in the U.S. Patent	ce, was received in the Patent Office
	Affidavit Declaration	Express Mail Mailing Certificate
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	Request for Extension of Time	☐ Drawing Sheet(s)
	☐ Provisional Patent Application	Information Disclosure Statement
		☐ PTO Form 1449
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	☐ Declaration ☐ Oath ☐ Power	☐ Brief ☐ Letter
	Request for Filing Continuation or Divisional	☐ Application for TM Registration
	Application sheets, in duplicate	Including Specimens
	☐ File Wrapper Continuation Patent Application	☐ Status Request ☐ Notice of Appeal
	sheets, in duplicate	☐ Petition ☐ Response
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•	☐ Amendment	(separate sheet)
	☐ Preliminary Amendment ☐ Amendment After Final Rejection	Check Nofor \$ Deposit Account Order Form
	Request for Extension of Time	☐ Drawing Sheet(s)
	☐ Provisional Patent Application ☐ Application for Patent, including	☐ Information Disclosure Statement ☐ PTO Form 1449,
;	Pages Specification Claims	☐ Issue Fee Transmittal
	☐ Declaration ☐ Oath ☐ Power ☐ Request for Filing Continuation or Divisional	☐ Brief ☐ Letter ☐ Application for TM Registration
	Application sheets, in duplicate	Including Specimens
	☐ File Wrapper Continuation Patent Applicationsheets, in duplicate	☐ Status Request ☐ Notice of Appeal ☐ Petition ☐ Response
	☐ PCT Request sheets, including	☐ Priority Document
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IN THE UNLED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

Nakamura, et al.

U.S. Appln. Ser. No. :

09/889,459

Int'l Appln. No.

PCT/JP00/08113

Int'l Filing Date

November 17, 2000

Title of Invention

DIGITAL SIGNAL PROCESING APPARATUS,

SYSTEM THEREOF, AND EXTENSION FUNCTION PROVIDING METHOD

745 Fifth Avenue New York, NY 10151

EXPRESS MAIL

Mailing Label Number:

EV001583753US

Date of Deposit:

October 22, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents

Washington, DC 20231.

d or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

PETITION TO WITHDRAW NOTIFICATION OF MISSING REQUIREMENTS

Assistant Commissioner for Patents

Washington, D.C. 20231

Attn: Charita A. Burt, Paralegal

Madam:

This is a Petition to withdraw the Notification of Missing Requirements mailed

August 27, 2001 in the above-identified application. A copy of that Notification is enclosed.

For a complete understanding of what appears to be the circumstances

surrounding this application, Applicants note that a similar Notification of Missing Requirements

issued on August 28, 2 in related, companion U.S. application 09/889,380 (the '380 application).

On July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 USC 371, including a direct English translation of the specification and claims of international application PCT/JP00/08113, to which U.S. application Serial No. 09/889,459 was assigned. A copy of those application papers as filed, including the date-stamped receipt postcard acknowledging receipt thereof, is enclosed.

The U.S. application papers contained 12 claims. This is identical to the number of claims contained in the international application.

On the same day, July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 U.S.C. 371, including a direct English translation of the specification and claims of international application PCT/JP00/08112, to which U.S. application Serial No. 09/889,380 was assigned. The '380 U.S. application papers contained 24 claims. This is identical to the number of claims contained in international application PCT/JP00/08112.

Applicants' attorney believes that the executed declaration attached to the U.S. application papers filed in connection with the '459 application became confused in the PTO Mail Room with the executed application papers filed in connection with the '380 application. As a result, the Notification of Missing Requirements incorrectly was mailed in connection with the '459 application (and, similarly, the Notification of Missing Requirements incorrectly was mailed in connection with the '380 application).

Since the '459 application was filed with a fully executed declaration, was filed as a direct English translation of the international application upon which it is based and contained

precisely the same number of claims as said international application, it is respectfully requested that the Notification of Missing Requirements mailed August 27, 2001 be withdrawn.

It is believed that no fees are due for this Petition. However, if a Petition Fee is needed, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:

William S. Frommer

Reg. No. 25,506 (212) 588-0800

WSF/dds Enclosures

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20231

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U.S. APPLICATION NO.		M	450106-02850
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745 FIFTH AVENUE NEW YORK, NY 10151		17 NOV	00 17 NOV 99
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NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark and Trademark and Elected Office (37 CFR 1 494) and Elected Office (37 CFR 1 495):
1. The following items have been submitted by the applicant of the B to the
Office as a Designated Office (5) of Kill Entity Status.
Copy of the international application.
Oath or Declaration of inventors(s).
Copy of Article 19 amendments.
Priority Document.
Translation of Annexes to the International Preliminary Examination Report and
2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or
2. Applicant has requested early processing under 35 U.S.C. 371(1) but has not fined an application must be filed the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed the indicated items in paragraph 3 below.
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3. The following items MUST be furnished within the period set forth below in order to complete the requirements for
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appropriate 20 or 30 months from the priority date (37 CFR 1.492(1)). c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying c. Oath or declaration of the inventors, in compliance with 37 CFR 1.492(1).
c. Oath or declaration of the inventors, in compliance with 57 CFR 1.43 (a) and international filing date). A the application (preferably by the International application number and international filing date). A the application (preferably by the International application number and international filing date).
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date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons
indicated on the attached PCT/DO/EO/917.
indicated on the attached PCT/DO/EO/917. d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the
priority date (37 CFR 1.492(e)).
priority date (37 CFR 1.492(e)). Additional claim fees of \$ as a large entity small entity, including any required multiple dependent
4. Additional claim fees of \$ as a large entity small entity, including they be a small entity including the small entity including they be a small entity including the small entity includ
due (37 CFR 1.492(g)). See attached PTO-875.
aue (37 CFR 1.472(g)). See attached
5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached
pcT/D0/F0/920
FCT/DOILEGISE.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).



UNITED STATES DEPARTMENT OF COMMERCE

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U.S. APPLICATION NO.	ATTACHMENT TO FORM PCT/DO/EO/

09/889459

NOTICE OF DEFECTIVE TRANSLATION

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The receiv	ed translation is defective because:
	(1) The text in the drawings has not been properly translated;
ranslation	(2) The number of claims in the International Application and the number of claims in the are not the same;
nissing;	(3) The translation of the International Application is incomplete as a number of pages are
mssing; [(4) Other.

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